

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **Highly Available TCP Servers With Fail Over Connections**

the specification of which is attached hereto.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below, and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(NONE)

I claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(NONE)

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true. Further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

As a named inventor I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Pryor A. Garnett - 32,136  
William B. Porter, III - 33,135  
John E. Hoel - 26,279  
Christopher A. Hughes - 26,914  
Edward A. Pennington - 32,588  
Joseph C. Redmond, Jr. - 18,753  
Evelyn H. McConathy - 35,279

Send Correspondence to:

Pryor Garnett, Counsel  
IBM Corporation  
Intellectual Property Law Dept., EDO2-805  
15450 SW Koll Parkway  
Beaverton, OR 97006-6063

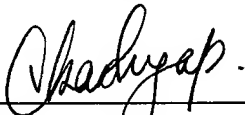
fax 503-578-5040

Direct Telephone Calls to:

Pryor A. Garnett, 503-578-5020

Full name of sole or first Inventor:

**Vivek Kashyap**

  
\_\_\_\_\_  
Inventor's signature

29 Dec '2000  
\_\_\_\_\_  
Date

Residence 723 NW 175<sup>th</sup> Place, Beaverton, OR 97006  
Citizenship India

Post Office Address Same as Above

This declaration ends with this page.